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6 **IN THE UNITED STATES DISTRICT COURT**

7 **FOR THE DISTRICT OF ARIZONA**

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9 Charles Romero,) No. CV 13-0683-PHX-RCB (SPL)

10 Plaintiff,) **ORDER**

11 vs.)

12 Unknown Jurca, et al.)

13 Defendants.)

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15 Plaintiff Charles Romero, a county jail inmate, filed this civil rights action under 42

16 U.S.C. § 1983 on April 4, 2013 (Doc. 1). Later that day, the Clerk of Court issued a notice

17 of assignment (Doc. 4). The notice was returned in the mail on April 15 (Doc. 5). Plaintiff

18 has yet to submit a notice of change of address. Rule 83.3(d) of the Local Rules of Civil

19 Procedure requires Plaintiff to file a notice of change of address 10 days before the move is

20 effective. Also, Plaintiff was informed in the instructions accompanying the form complaint

21 that he must immediately inform the Clerk of Court of a change of address or face possible

22 dismissal. Plaintiff has not complied with these requirements.

23 “A party, not the district court, bears the burden of keeping the court apprised of any

24 changes in his mailing address.” Carey v. King, 856 F.2d 1439, 1441 (9th Cir. 1988) (*per*

25 *curiam*). If the Court were to order Plaintiff to show cause why dismissal was not warranted,

26 the Order “would only find itself taking a round trip through the United States mail.” Id.


27 The Court is similarly not required to hold the matter in abeyance in hopes that an

28 address change will be forthcoming. “It would be absurd to require the district court to hold

1 a case in abeyance indefinitely just because it is unable, through the Plaintiff's own fault, to
2 contact the plaintiff to determine if his reasons for not prosecuting his lawsuit are reasonable
3 or not." Carey, 856 F.2d at 1441. Because Plaintiff has failed to prosecute this action, see
4 Fed. R. Civ. P. 41(b), the Court will dismiss the action without prejudice.

5 **IT IS ORDERED** that the Complaint and this action are **DISMISSED** without
6 prejudice. The Clerk of Court is directed to enter judgment accordingly.

7 DATED this 23rd day of May, 2013.

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11 Robert C. Broomfield
12 Senior United States District Judge
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